

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ISPEC, INC.,

Plaintiff,

v.

TEX R.L. INDUSTRIAL CO., LTD.. et al.

Defendants.

Civil Action No. : 12-cv-4339

Filed via ECF and Regular Mail

REQUEST FOR ENTRY OF DEFAULT

To: Clerk of Court

In accordance with Fed. R. Civ. P. 55(a), Plaintiff, Ispec, Inc., hereby requests the Entry of Default be entered against Tex R.L Industrial Co., Ltd. (hereinafter “Tex RL”) for failure to plead or otherwise defend within the time allowed by law. An Affidavit in support of this request is attached hereto.

Law Office of Jungsup Kim LLC

SO ENTERED:



JUNGSUP KIM

Law Office of Jungsup Kim LLC
Continental Plaza II
411 Hackensack Avenue, 2nd Floor
Hackensack, New Jersey 07601
(201) 509-3367; fax: (201) 586-0278
Email: kimjungsup.esq@gmail.com

Attorney for Plaintiff, ISPEC, INC

Clerk of Court

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ISPEC, INC.,

Plaintiff,

v.

TEX R.L. INDUSTRIAL CO., LTD., et al.

Defendants.

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**AFFIDAVIT IN SUPPORT OF
REQUEST FOR ENTRY OF DEFAULT**

In support of my request for Clerk's Entry of Default, I, Jungsup Kim, of full age, being duly sworn, upon his oath according to law deposes and says:

1. I am an attorney-at-law of the State of New Jersey and attorney for plaintiff in the above-captioned action. I am thoroughly familiar with the facts and circumstances of this action.
2. After plaintiff's request, on or about January 30, 2015, the U.S. Clerk of Court mailed the summons and complaint to the defendant's office in Taiwan by FedEx.
3. On February 2, 2015, the Complaint and Summons in this action were served via international registered mail, FedEx, which satisfies the provisions of Fed. R. Civ. P. 4(f)(2)(C)(ii) -- which permits process to be served on a foreign defendant like Tex RL -- unless prohibited by the foreign country's law -- by mail that the clerk addresses and sends, which requires a signed receipt. One of defendant's employees, S. Chen signed the delivery receipt although the "[s]ignature images are not available for display for shipments to [Taiwan]." The proof of service is attached to this request.

Exhibit A.

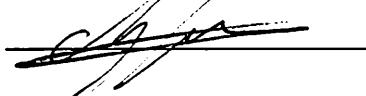
4. This method of service is not prohibited by the domestic law of Taiwan and that I obtained this information by contacting the U.S. Department of State and Taiwan Central Authority.
5. The time within which defendant Tex RL may answer or otherwise move as to the Complaint expired on February 23, 2015 and has not been extended. Defendant Tex RL has failed to plead or otherwise defend in accordance with Fed. R. Civ. P. 12.
6. The Defendant and its employee, S. Chen is not an infant, incompetent person or a member of the military service.
7. This statement is true and is signed under the penalty of perjury.

Date: 4-21-2015



JUNGSUP KIM

Sworn and subscribed to
before me this 21st day
of April, 2015



CHANG KYUN NOH
ID # 2430559
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires February 27, 2018

EXHIBIT A

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ISPEC, INC.,

Plaintiff,

v.

TEX R.L. INDUSTRIAL CO., LTD., et al.,

Defendants.

Civil Action No. : 12-4339-MCA-JBC

**CERTIFICATE OF SERVICE
PURSUANT TO THE JANUARY 20, 2015
COURT ORDER**

Via Electronic Filing and Regular Mail

Jungsup Kim, counsel of record for plaintiff, certifies and states:

1. pursuant to Rule 4(f)(2)(C)(ii) of the Federal Rules of Civil Procedure, the Clerk of the Court mailed via FedEx a copy of the summons and complaint to:

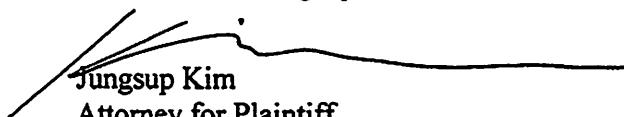
**TEX R.L. INDUSTRIAL CO., LTD.
5F-1, NO. 7, SECTION 2, AN HO ROAD
TAIPEI, TAIWAN 10680**

2. On February 2, 2015, the summons and complaint was served on the defendant. Proof of Service issued by FedEx is attached.

I certify that the foregoing statements made by me and the attached document are true and accurate. I am aware that if any of the foregoing statements made by me are willingly false, I am subject to punishment.

Dated: April 19, 2015

Law Office of Jungsup Kim LLC



Jungsup Kim
Attorney for Plaintiff
Continental Plaza II
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kimjungsup.esq@gmail.com



February 5,2015

Dear Customer:

The following is the proof-of-delivery for tracking number 772716810499.

Delivery Information:

Status:	Delivered	Delivered to:	Receptionist/Front Desk
Signed for by:	S.CHEN	Delivery location:	TAIPEI CITY
Service type:	FedEx International Priority	Delivery date:	Feb 2, 2015 11:26
Special Handling:	Deliver Weekday		

Signature images are not available for display for shipments to this country.

Shipping Information:

Tracking number:	772716810499	Ship date:	Jan 30, 2015
		Weight:	0.5 lbs/0.2 kg

Recipient:
TAIPEI CITY TW

Shipper:
CLERK OF COURT
CLERK OF COURT
M.L. KING BUILDING U.S.COURTHOUSE
50 WALNUT STREET, ROOM 4015
NEWARK, NJ 07101 US

Additional recipient and address information is not available for display for shipments to this country.

Thank you for choosing FedEx.

 Shipment Receipt
Address Information

Ship to:	Ship from:
TEX R.L.	Clerk of Court
TEX R.L. INDUSTRIAL	Clerk of Court
CO.,LTD.	
SF-1, NO. 7, Section 2, An	M.L. King Building &
Ho Road	U.S.Courthouse
TAIPEI CITY.	50 Walnut Street, Room 4015
10680	Newark, NJ
TW	07101
886227036855	US
	973-645-3730

Shipment Information:

Tracking no.: 772716810499

Ship date: 01/26/2015

Estimated shipping charges: 36.16

Package Information

Pricing option:

Service type: International Priority

Package type: FedEx Envelope

Number of packages: 1

Total weight: 0.50 LBS

Declared Value: 0.00 USD

Special Services:

Pickup/Drop-off: Use an already scheduled pickup at my location

Billing Information:

Bill transportation to: ispecinc-402

Bill duties/taxes/fees to: ispecinc-402

Your reference:

P.O. no.:

Invoice no.:

Department no.:

Thank you for shipping online with FedEx ShipManager or fedex.com.

Please Note

FedEx is not responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, non-delivery or non-delivery or non-delivery, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Verbal claims must be filed within one year. Consult the applicable FedEx Service Guide for details. The estimated shipping charge may be different than the actual charge for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable [Service Guide](#) or the FedEx Rate Sheets for details on how charges are calculated.